

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
HENNESSEE GROUP LLC,

Plaintiff,

-against-

RICHARD ROGEL,

Defendant.
-----X

Case No. 07 Civ. 7723 (SHS)

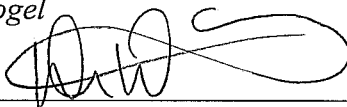
**AFFIDAVIT OF
SERVICE**

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

DENNIS D. MURPHY, ESQ., being duly sworn, deposes and says; that Deponent is not a party to the action, is over 21 years of age and resides in New Rochelle, New York.

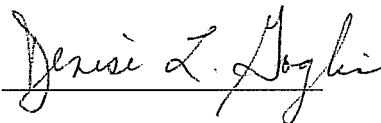
On the 19th day of September 2007, deponent served the within Memorandum of Law in Opposition to **Defendant's Motion to Dismiss the Complaint in Favor of Arbitration, and the Declaration of Joel S. Stuttman, Esq.** on the following parties by mailing a copy of same by first class mail in a securely sealed postpaid wrapper addressed as set forth below and deposited said wrapper with requisite postage in --a post office-- official depository under the care and custody of the United States Postal Service within the State of New York.

Robert C. Sentner, Esq.
Nixon Peabody LLP
437 Madison Avenue
New York, NY 10022
Attorneys for Defendant Richard Rogel



DENNIS D. MURPHY, ESQ.

Sworn to before me this
19th day of September 2007



DENISE L. GOGLIA
Notary Public, State of New York
No. 01GO6136480
Qualified in Orange County
Commission Expires November 7, 2009